

Amendments to the claims:

Please amend the claims as follows:

What is claimed is:

1. (Original) A software delivery apparatus, comprising a controller connectable to a terminal and responsive to a request therefrom for software, and a terminal emulator operable in accordance with a configuration of said terminal to validate said software prior to delivery to said terminal.
2. (Original) An apparatus as claimed in Claim 1, including storage for said terminal configuration.
3. (Original) An apparatus as claimed in Claim 1, wherein said apparatus is connectable to said terminal via a wireless network.
4. (Original) An apparatus as claimed in Claim 1, wherein the terminal is a set top box.
5. (Original) An apparatus as claimed in Claims 1, wherein the terminal is mobile communications device.
6. (Original) A method of delivering software to a terminal, comprising receiving a request for software from said terminal, sourcing said software, emulating said terminal and

validating said software against said emulation prior to delivering said software to said terminal.

7. (Original) A method as claimed in Claim 6, wherein said emulation is performed in accordance with a configuration derived from said terminal.

8. (Original) A method as claimed in Claim 6, wherein said emulation is performed in accordance with a configuration derived from an access network to which said terminal is connected.

9. (Original) A method as claimed in Claim 8, where said access network is a wireless network.

10. (Original) A method as claimed in Claim 6, wherein said emulation is performed in accordance with a configuration derived from a manufacturer of said terminal.

11. (Original) A method as claimed in Claim 6, including selecting a software provider from whom said software is sourced in accordance with a database holding details of software sources.

12. (Original) A system for delivering software to a terminal comprises a controller having a connection to an access network through which a terminal issues a request for delivery of software, at least one software provider from whom said software is sourced by said controller and terminal emulation means operable in accordance with a configuration of

said terminal to validate said software prior to delivery to said terminal.

13. (Original) A system as claimed in Claim 12, including a software provider database wherein said controller is operable to select from said database a suitable provider as a source to meet said request.

14. (Original) A system as claimed in Claim 12, wherein said access network is a wireless network.

15. (Original) A computer program comprising executable code for execution when loaded on a computer wherein the computer is operable in accordance with said code to carry out the method according to Claim 6.

16. (Original) A program as claimed in Claim 15, stored in a computer readable medium.

17. (Original) An application service provider comprising a controller operable to receive a request originating from a terminal, said request identifying a software element for delivery to said terminal, said controller being further operable to determine a configuration of said terminal and in response to said determination to source an appropriate software element to said terminal for delivery to said terminal.

18. (Currently Amended) A provider as claimed in Claim 17, wherein the controller is operable to generate a user a-profile in response to a determination of a configuration of said terminal.

19. (Original) A provider as claimed in Claim 18, wherein the controller is operable to supplement said profile using information provided by a manufacturer of said terminal.

20. (Original) A provider as claimed in Claim 18, wherein the controller is operable to supplement said profile using information provided by an operator of network of which said terminal is a member.

21. (Original) A provider as claimed in Claims 18, wherein the controller is operable to source said software element only where said request is compatible with said user profile.

22. (Original) A provider as claimed in Claim 17, wherein said controller is operable to access a database holding details of software elements corresponding to the different requirements of various terminals whereby the controller is further operable to identify what software elements are required to achieve certain terminal configurations.

23. (Original) A provider as claimed in Claim 17, wherein the controller is operable to access a database maintaining a list of provider addresses where software elements may be sourced.

24. (Original) An apparatus as claimed in Claim 2, wherein said apparatus is connectable to said terminal via a wireless network.

25. (Original) An apparatus as claimed in Claim 2, wherein the terminal is a set top

box.

26. (Original) An apparatus as claimed in Claim 3, wherein the terminal is a set top box.

27. (Original) A method as claimed in Claim 7, wherein said emulation is performed in accordance with a configuration derived from an access network to which said terminal is connected.

28. (Original) A method as claimed in Claim 7, wherein said emulation is performed in accordance with a configuration derived from a manufacturer of said terminal.

29. (Original) A method as claimed in Claim 8, wherein said emulation is performed in accordance with a configuration derived from a manufacturer of said terminal.

30. (Original) A method as claimed in Claim 9, wherein said emulation is performed in accordance with a configuration derived from a manufacturer of said terminal.

31. (Original) A method as claimed in Claim 7, including selecting a software provider from whom said software is sourced in accordance with a database holding details of software sources.

32. (Original) A method as claimed in Claim 8, including selecting a software provider from whom said software is sourced in accordance with a database holding details

of software sources.

33. (Original) A method as claimed in Claim 9, including selecting a software provider from whom said software is sourced in accordance with a database holding details of software sources.

34. (Original) A method as claimed in Claim 10, including selecting a software provider from whom said software is sourced in accordance with a database holding details of software sources.

35. (Original) A system as claimed in Claim 13, wherein said access network is a wireless network.